

Notice of Allowability

Application No.

10/081,271

Examiner

Shih-wen Hsieh

Applicant(s)

NIEDERHAUSERN ET AL.

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment dated Dec. 1, 2003.
2. ☒ The allowed claim(s) is/are 1-7.
3. ☒ The drawings filed on 04 December 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
5. ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- 1 ☒ Notice of References Cited (PTO-892)
- 2 ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3 ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____
- 4 ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

- 5 ☐ Notice of Informal Patent Application (PTO-152)
- 6 ☐ Interview Summary (PTO-413), Paper No. _____
- 7 ☒ Examiner's Amendment/~~Comment~~
- 8 ☒ Examiner's Statement of Reasons for Allowance
- 9 ☐ Other

SHIH-WEN HSIEH
PRIMARY EXAMINER

Shih-wen Hsieh
Primary Examiner
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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with attorney Joseph V. Gamberdell, Jr., 44,695, 203-259-1800 on Jan. 28, 2004.

The application has been amended as follows:

In the specification:

Page 13, line 13, change "spittoon 16" into "opening 11".

In the claim:

Claim 5:

Line 7, delete the second "a self cleaning", because this statement shows up twice.

2. Claims 1-7 are allowed.

3. The following is an examiner's statement of reasons for allowance:

In regard to:

Claim 1-3:

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The primary reason for the allowance of claims 1-3 is the inclusion of the limitation of a hook element positioned on the movable inkjet printhead assembly and adapted to engage the pivotable carriage and thereby rotate and bend the free end portion of the wiper against the housing thereby removing ink from the wiper. It is this limitation found in each of the claims, as they are claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes these claims allowable over the prior art.

Claim 4:

Reason was given in office action dated May 28, 2003.

Claim 5:

The primary reason for the allowance of claim 5 is the inclusion of the limitation of a hook element positioned on the inkjet printhead is operable to engage the pivotable carriage and thereby rotate and bend the plurality of wipers against a housing of the cleaning station to clean the wiper. It is this limitation found in this claim, as it is claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

Claims 6 and 7:

The primary reason for the allowance of claims 6 and 7 is the inclusion of the method step of positioning the print head over a third area of the cleaning station where ink is forced through the nozzles for a second time. It is this step found in each of the claims, as they are claimed in the combination that has not been found, taught or

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suggested by the prior art of record, which makes these claims allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6,561,619, "Flipping wiper scraper system for inkjet print heads" to Shibata et al., 5/2003 teaches in their fig. 3 a wiper assembly (96) is supported on a flipping wiper sled (sled), when the sled is moving as shown by arrow (131) the sled is rotated up-side-down by the engagement of the sled and a trip lever (125), the rotation of the wiper is shown in figs. 5-8, where in fig. 8, the wiper is completely downward and scrapes against a wiper scraper such as (116) to get rid of its adhere ink (170).

This reference is very close to the instant application, however, the differences are:

1) Shibata et al. teach the scraping of ink off the wiper is an engagement of the wiper against the scraper, when the wiper flip down, NOT the housing as in the instant application; and

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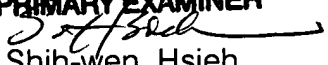
2)The flipping of the sled (supported the wiper) is caused by the engagement of the sled and the trip lever, both are part of the service station (80, fig. 1).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shih-wen Hsieh whose telephone number is 703-305-4961. The examiner can normally be reached on 7:30AM -5:00PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, S D Meier can be reached on 703-308-4896. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

SHIH-WEN HSIEH
PRIMARY EXAMINER


Shih-wen Hsieh
Primary Examiner
Art Unit 2861

SWH


Jan. 28, 2004